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April 17, 2008

BY FACSIMILE

The Honorable Victor Marrero
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Suite 660
New York, NY 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4-18-08

Re: National Biofuels LP v. Enagra Inc. et al, 08-CV-2858 (VM)

Dear Judge Marrero:

We represent Plaintiff, National Biofuels LP, in the above-referenced matter.

We have received the Court's Notice of Initial Conference, issued April 16, 2008, which directs that Plaintiff serve same immediately and which sets deadlines for pretrial procedures under the Federal Rules.

This is an action under Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, with defendants not present in the District. Pending determination of whether these defendants have assets in the District, service on these out of state defendants has not yet been made.

Pursuant to your individual practices and rules, we write to respectfully request an extension of time to serve the Defendants in this matter with the Court's Initial Conference Order of April 16, 2008, a copy of which is attached hereto.

We request that the deadline for service of the Notice of Initial Conference be extended to July 18, 2008 and that all other dates in the Notice be adjourned accordingly. If it would be of assistance to the Court, upon approval of this request, we will be glad to submit a proposed Order for the Court.

Respectfully Submitted,


Kevin J. Walsh

Request GRANTED. The time for plaintiff to serve the notice of Initial Conference herein is extended to 7-18-08. Plaintiff is directed to provide the Court with a status report on this matter within 60 days of the date of this Order.

SO ORDERED: The Initial Conference is rescheduled to 8-1-08 at 9:30 a.m.

4-17-08

DATE **VICTOR MARRERO, U.S.D.J.**